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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

DANIELLE RICHARD, an individual,

Plaintiff,

CASE NO.

vs.

COMPLAINT AND JURY DEMAND

CARSON TAHOE REGIONAL  
HEALTHCARE, a Nevada not for  
profit corporation,

Defendant.

Plaintiff for her complaint against Defendant complains and avers as follows:

1. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §1331 and 1367.

2. Plaintiff was employed by Defendant at its hospital in Carson City as a Charge Nurse.

3. On April 11, 2012, Defendant terminated Plaintiff's employment.

4. Defendant terminated Plaintiff's position because she had complained about the failure of Defendant to provide breaks as required by State and federal law, including the Fair Labor Standards Act and its Nevada counterpart. Plaintiff had complained in staff meetings and to supervisors and managers that the manner in which the staffing occurred at Defendant prevented the taking of breaks mandatory under State and federal wage and hour laws, and she suggested staffing solutions to remedy the situation.

5. Plaintiff's reporting in this regard was frowned upon by her supervisors and management.

6. Defendant utilized four incidents that occurred on three different days to justify

1 the termination, as a pretext for its retaliation against Plaintiff for her protected wage and hour  
2 activity.

3 7. As a result of the termination, Plaintiff has suffered and will continue to suffer  
4 mental anguish, emotional distress, humiliation, embarrassment, grief, harm to reputation, loss  
5 of enjoyment of life and career, as well as special damages in the form of lost wages, benefits,  
6 seniority, longevity, retirement, all in sums to be proved at trial.

7 8. The conduct of the Defendant was malicious, oppressive, fraudulent, done with  
8 evil motive and deliberate indifference to Plaintiff's rights, entitling her to an award of punitive  
9 damages.

10 9. Plaintiff is entitled to reasonable attorneys fees and costs of suit.

11 FIRST CLAIM FOR RELIEF

12 10. Plaintiff refers to and by such reference incorporates herein each, every and all  
13 averments contained in paragraphs 1-9 hereinabove as though fully set forth at this point.

14 11. The aforementioned conduct subjects the Defendant to liability under 29 U.S.C.  
15 § 215 for all of the aforementioned damages, attorneys fees and costs.

16 SECOND CLAIM FOR RELIEF

17 12. Plaintiff refers to and by such reference incorporates herein each, every and all  
18 averments contained in paragraphs 1-11 hereinabove as though fully set forth at this point.

19 13. Plaintiff's reporting activity fostered important public policy.

20 14. Plaintiff's protected activity was the sole proximate cause of her termination.

21 15. The foregoing subjects Defendant to liability for the tort of tortious discharge

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1 under Nevada State law, entitling Plaintiff to all of the aforementioned relief.

2 WHEREFORE, Plaintiff prays for judgment in her favor and against Defendant as  
3 aforementioned, together with such other and further relief as the Court deems just and  
4 proper.

5 DATED August 10, 2012.

6 LAW OFFICE OF  
7 JEFFREY A. DICKERSON

8  
9 /S/ Jeffrey A. Dickerson  
10 JEFFREY A. DICKERSON

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